

ENTERED

October 30, 2017

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

J & J SPORTS PRODUCTIONS, INC.,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 4:16-CV-1975
	§	
LEROY PERALES, INDIVIDUALLY AND	§	
D/B/A OASIS LOUNGE,	§	
<i>Defendants.</i>	§	


MEMORANDUM AND RECOMMENDATION

This matter is before the court on defendant's motion for new trial (Dkt. 27). A motion to reconsider an order granting summary judgment is appropriate when the court is presented with newly-discovered evidence, when the court committed clear error, when there is an intervening change in controlling law, or when other highly unusual circumstances exist. *Schiller v. Physicians Res. Group, Inc.*, 342 F.3d 563, 567 (5th Cir. 2003). A motion for reconsideration is "not the proper vehicle for rehashing evidence, legal theories, or arguments that could have been offered or raised before the entry of judgment." *Templet v. Hydrochem, Inc.*, 367 F.3d 473, 479 (5th Cir. 2004).

The court recommends that defendant's motion be denied because he has not met the standards for reconsideration.

The parties have 14 days from service of this Memorandum and Recommendation to file written objections. Failure to file timely objections will preclude appellate review of factual findings or legal conclusions, except for plain error. *See* FED. R. CIV. P. 72.

Signed at Houston, Texas, on October 30, 2017.



Stephen Wm Smith
United States Magistrate Judge